

Appln No. 10/758,558

Amendment in Reply to the Notice of Non-Compliant Amendment dated April 21, 2005
and the Office action dated March 21, 2005

REMARKS

The foregoing amendments are resubmitted in response to the Notice of Non-Compliant Amendment dated April 21, 2005, and in response to the Office action dated March 21, 2005, in an effort to place the application in condition for allowance.

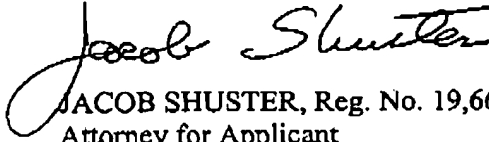
According to the Office action, claims 1-5 are rejected under 35 U.S.C. 102(b) over the newly cited U.S. Patent No. 4,048,956 to Estebanez et al., while claims 6, 7 and 8 are withdrawn from consideration as the non-elected claims. By the amendments now submitted, such non-elected claims 6, 7 and 8 are cancelled, while claim 1 is amended so as to emphasize the patentable distinction of the subject invention over the disclosure in the Estebanez et al. patent as hereinafter pointed out. The specification is also amended without insertion of new matter so as to clarify the distinction.

According to the disclosure in the Estebanez et al. patent, as shown in FIG. 1 and described in column 2, lines 4-13, the basic elements of the surface treatment apparatus includes a horizontal floor M and a carrier H which moves along and is supported on the floor M from which a vertical wall surface K extends. The disclosure in the Estebanez et al. patent therefore precludes treatment of a ship hull surface which exclusively supports surface treatment apparatus pursuant to the subject invention, in contrast to a vertical wall surface to be treated which is fixed to a horizontal floor on which the treatment apparatus is mounted. Thus, claim 1 as amended specifies: "Apparatus --comprising: guidance means exclusively supported on the target surface--", so as to clearly distinguish over the disclosure in the Estebanez et al. patent. An allowance of amended claim 1 together with claims 2, 3, 4 and 5 dependent therefrom is therefore in order.

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In view of the foregoing, an allowance of the application based on amended claims 1-5 is
requested.

Respectfully submitted,



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